IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 23600 of 2004

Between:

Mudiraj Yuvajana Sangam, (Reg.No. 1035/3), Tandur, R.R. District.
rep by its Member M. Suresh,S/o. M. Devappa,

R/o. H.No. 6-2-120, Subash Nagar, Tandur, R.R. District.

..... PETITIONER

AND

1 The District Collector & Chairman, R.R. District,

Hospital Advisory Committee, District Hospital, Tandur,
R.R. District.
2 The Medical Superintendent, District Hospital,
Tandur, R.R. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents in not issuing the work order with regard to the maintenance of sanitation at District Hospital, Tandur, R.R. District despite the petitioner is the successful bidder in the tender held on 28-9-2004 as illegal, arbitrary, unconstitutional and contrary to Law and consequently direct the respondents herein to issue the work order to the petitioner herein.

Counsel for the Petitioner : Mr.CHILAMKURI HANUMANTHA RAYUDU

Counsel for Respondents : G.P. FOR MEDICAL & HEALTH

The Court at the admission stage, made the following :

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Medical and Health.

The petitioner who participated in the bid pursuant to the tender notification issued by the respondents dated 28.9.2004 with regard to maintenance of sanitation at District Hospital, Tandur, R.R. district, filed the present writ petition questioning the action of the respondents in not issuing work order to him. According to the petitioner, since he is the lowest bidder, he should be awarded the tender.

On instructions, the learned Government Pleader submits that as per the tender conditions, a bidder should have minimum two years experience in hospital sanitation or five years experience in the field of sanitation, and only those bidders, who satisfy the above criteria will be eligible for participating in the tenders, and preference will be given to those bidders who are engaged in hospital sanitation. The petitioner admittedly does not have the experience in hospital sanitation nor is engaged in similar field, and therefore the petitioner's case was not considered. It is also stated that out of 10 participants, no bidder satisfied the above criteria, and therefore, the respondents are contemplating to issue fresh tender notification.

In view of the said submission made by the learned Government Pleader, and since it is stated that respondents are proposing to issue fresh tender as none of the participating tenderers, qualified the tender conditions, no interference is called for by this Court.

The writ petiton has no merit, and the same is accordingly dismissed. No costs.

N.V.RAMANA, J

Date: 20.12.2004

KSR/DA

To

1 The District Collector & Chairman, R.R. District,

Hospital Advisory Committee, District Hospital, Tandur,
R.R. District.
2 The Medical Superintendent, District Hospital,
Tandur, R.R. District.

3 Two CCs to the G.P. for Medical & Health, High Court Buildings,

Hyderabad (OUT).

4 Two CD copies.